

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: ABBOTT SPINE

Application No./Patent No.: See Attachment A Filed/Issue Date: See Attachment A

Entitled: See Attachment A

ABBOTT SPINE, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

In the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy therefore is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

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3. From: \_\_\_\_\_ To: \_\_\_\_\_

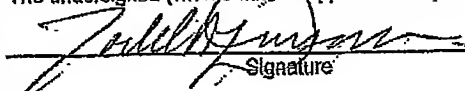
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

Todd Dawson

Printed or Typed Name

Vice President, Global Intellectual Property, Zimmer, Inc.  
signing on behalf of wholly owned subsidiary Abbott Spine

Title

11/24/08  
Date

(574) 372-4281  
Telephone Number

# ATTACHMENT A

Application No.	Reel/Frame Inventor(s) to Spinal Concepts	Reel/Frame Spinal Concepts to Abbott Spine Inc.	SIPLG Docket No.
10/698,046	015188/0537	022136/0534	ZIMM1170-1
10/387,363	014403/0794	022136/0536	ZIMM1190-3
10/698,966	015102/0083	022136/0809	ZIMM1200-1
10/200,024	013449/0035	022201/0358	ZIMM1220-1
11/779,762	022060/0018	022083/0259	ZIMM1220-2
10/699,618	015183/0986	022136/0529	ZIMM1680-1
11/150,989	022059/0993	022083/0257	ZIMM1680-2
10/291,245	021875/0427	021884/0628	ZIMM1750-2
11/774,406	022059/0996	022083/0261	ZIMM1750-4

**ASSIGNMENT**

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Spinal Concepts, Inc. (the "Assignee"), having a place of business at 5301 Riata Park Court, Bldg F, Austin, Texas 78727 the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 10/698,966 filed on October 31, 2003, and is entitled "**SPINAL DISC IMPLANT**", such application and all nonprovisional, divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

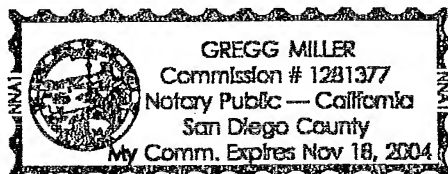
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) *James F. Marino*  
Name: James F. Marino

Date: 2/26/04

BEFORE ME, the undersigned authority, on this 26<sup>TH</sup> day of FEBRUARY, 2004, personally appeared James F. Marino, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



*Gregg Miller*  
Notary or Consular Officer

(Signature) David J. Krueger  
Name: David J. Krueger

Date: 3/3/04

BEFORE ME, the undersigned authority, on this 3rd day of March, 2004, personally appeared David J. Krueger, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



Michelle Conner  
Notary or Consular Officer

(Signature) Erik J. Wagner  
Name: Erik J. Wagner

Date: MARCH 3, 2004

BEFORE ME, the undersigned authority, on this 3 day of March, 2004, personally appeared Erik J. Wagner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



Michelle Conner  
Notary or Consular Officer

ERIC B. MEYERTONS  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

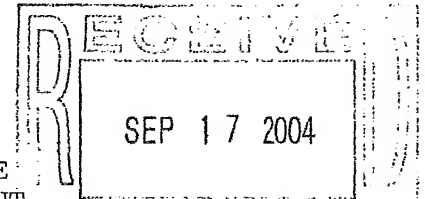
SEPTEMBER 10, 2004

PTAS

MEYERTONS, HOOD, KIVLIN, KOWERT  
& GOETZEL, P.C.  
ERIC B. MEYERTONS  
P.O. BOX 398  
AUSTIN, TX 78767-0398



\*102699824A\*



## UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/15/2004

REEL/FRAME: 015102/0083

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MARINO, JAMES F.

DOC DATE: 02/26/2004

ASSIGNOR:

KRUEGER, DAVID J.

DOC DATE: 03/03/2004

ASSIGNOR:

WAGNER, ERIK J.

DOC DATE: 03/03/2004

ASSIGNEE:

SPINAL CONCEPTS, INC.  
5301 RIATA PARK COURT, BLDG F  
AUSTIN, TEXAS 78727

SERIAL NUMBER: 10698966

PATENT NUMBER:

TITLE: SPINAL DISC IMPLANT

FILING DATE: 10/31/2003

ISSUE DATE: Atty Dkt: 539-11101 Atty: \_\_\_\_\_

Transferred ☐ Due Date: \_\_\_\_\_  
Action: 30 Day ☐ 1 Mo. ☐ 2 Mo. ☐  
3 Mo. ☐ Final Action ☐ Advy Action ☐  
Ntc of Allow ☐ Drawings ☐ Issue Fee ☐  
Other: \_\_\_\_\_  
Docketed: 9/14

015102/0083 PAGE 2

DELPHINE TIMBERLAKE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

# Delaware

PAGE 1

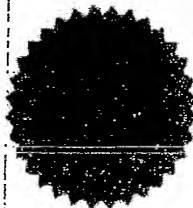
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SPINAL CONCEPTS, INC.", CHANGING ITS NAME FROM "SPINAL CONCEPTS, INC." TO "ABBOTT SPINE INC.", FILED IN THIS OFFICE ON THE TWENTIETH DAY OF APRIL, A.D. 2005, AT 6:51 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2632615 8100

050321109

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3926252

DATE: 04-21-05

**POSTED**  
3106



TO: SPRINKLE IP, LAW GROUP COMPANY: 1301 W. 25TH STREET, SUITE 408

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE



\*700396703A\*

JANUARY 22, 2009

PTAS

SPRINKLE IP, LAW GROUP  
1301 W. 25TH STREET, SUITE 408  
AUSTIN, TEXAS 78705

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RECORDATION DATE: 01/20/2009

REEL/FRAME: 022136/0809

NUMBER OF PAGES: 2

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: ZIMM1200-1

## ASSIGNOR:

SPINAL CONCEPTS, INC.

DOC DATE: 04/20/2005

## ASSIGNEE:

ABBOTT-SPINE, INC.  
5301 RIATA PARK COURT, BLDG. F.  
AUSTIN, TEXAS 78727

SERIAL NUMBER: 10698966

FILING DATE: 10/31/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: SPINAL DISC IMPLANT

USPTO

1/23/2009 3:02:34 PM PAGE 3/004 Fax Server

TO:SPRINKLE IP, LAW GROU COMPANY:1301 W. 25TH STREET, SUITE 408

022136/0809 PAGE 2

LAZENA MARTIN, EXAMINER  
ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION